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In re Application of
TRAN
Application No.: 09/399,687
Filed: September 21, 1999
Attorney Docket No.: NC13800 (9021.074)

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AUG 03 2005

OFFICE OF PETITIONS

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

This is a decision on the petition under 37 CFR 1.137(b), filed April 7, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the non-final Office action mailed October 8, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained and a reply was not filed. Accordingly, by operation of law, the above-identified application became abandoned on January 9, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment; (2) the petition fee and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the non-final Office action of October 08, 2003 is accepted as having been unintentionally delayed.

The application is being referred to Technology Center AU 2662.

Telephone inquiries concerning this decision should be directed to Derek A. Putonen at (571) 272-3294 or in his absence, the undersigned at (571) 272-3217

Frances Hicks Jr
Brian Hearn
Petitions Examiner
Office of Petitions